

TITLE V: PUBLIC SAFETY - CONTINUED**CHAPTER 52: POLICE DEPARTMENT**

52-1: GENERAL ORGANIZATION. The Police Department of the City is hereby established under the City Code.

(A) The Mayor shall appoint a public health and safety committee as a Standing Committee of the City Council.

(B) The Chief of Police shall be appointed by the Mayor, by and with the advice and consent of the City Council.

(C) With recommendation by the Chief of Police, all subordinate officers shall be appointed by the Mayor, by and with the advice and consent of the City Council.

(D) The sworn personnel can consist of the following: Chief of Police, (who shall hold the traditional rank of Colonel), Assistant or Deputy Chief of Police, (who shall hold the rank of Lieutenant Colonel or Captain), Captain(s), Sergeant(s), Detective(s), Full-Time Patrolmen, Part-Time Patrolmen. The Mayor maintains the right to establish, set or otherwise enumerate the staffing level of the Police Department for both sworn and non-sworn personnel, by and with the advice and consent of the City Council. In addition, there shall be Auxiliary Officer(s), who are not member(s) of the regular Police Department. An Auxiliary Officer, under the direction and control of the Chief of Police, shall have the duties as specified in 65 ILCS 5/3-6-5, as amended.

An Auxiliary Officer shall be employed part-time only when there is need of special security or police assistance, such as but not limited to picnics, common disasters, dances and athletic events, or when there is need of additional traffic control.

Part-time officers may be appointed, disciplined or discharged in accordance with applicable provisions of this Chapter. A part-time officer must meet the following qualifications:

- Be of good moral character, of temperate habits, of sound health, and physically and mentally able to perform assigned duties.
- Be at least twenty-one (21) years of age.
- Pass a medical examination.
- Possess a high school diploma or GED certificate.
- Possess a valid State of Illinois driver's license.
- Possess no prior felony convictions.
- Any individual who has served in the U.S. military must have been honorable discharged.

Part-time officers shall be members of the regular police department, except for pension purposes. Part-time officers shall not be assigned under any circumstances to supervise or direct full time officers of the police department. Part-time officers shall not be used as permanent replacements for full time officers and the number of hours a part-time officer may work within a calendar year is restricted. Part-time officers shall be trained according to Section 52-2, the Illinois Police Training Act (50 ILCS 705/1, et seq.), the rules and requirements of the Illinois Law Enforcement Training Standards Board and any other applicable statutes. A part-time officer not trained and certified shall be directly supervised until trained and certified.

52-2: TRAINING.

(A) General. The corporate authorities, through the Police Department, have an obligation to provide a professional standard of law enforcement to the community. The Chief of Police with the approval of the City Council and Mayor shall schedule training sessions and seminars for full-time officers. Each full-time officer shall attend each training session as scheduled. Each full-time officer may receive up to eighty (80) hours of compensated training per fiscal year. Compensation for attending schools and seminars may be earned in compensatory time, the maximum of which shall be eighty (80) hours in any fiscal year.

52-3: HOURS.

(A) Hours of Work. A work week is defined as a regularly recurring period of one hundred sixty-eight (168) hours consisting of seven (7) consecutive twenty-four (24) hour periods. A work period shall consist of twenty-eight (28) consecutive calendar days. The Chief of Police is authorized to establish a work schedule for the Red Bud Police Officers consistent with Chapter 29 USCS ¶207(k), as amended from time to time as same applies to law enforcement activities. The Chief of Police shall be authorized to establish a work schedule for the Red Bud Police Officers which may include twelve (12) hours of work per day prior to any overtime being paid with the officers working three (3) consecutive days and being off three (3) consecutive days. Any officer working more than twelve (12) hours per day, provided such additional time has been approved by the Chief of Police, shall receive overtime pay or compensatory time.

(CAVEAT: As the position of a Police Officer often requires not being able to readily be relieved at the end of the established work period, it shall be noted that the above stated scheduled hours are not always possible.)

(B) Scheduling of Overtime. Subject to operational necessities, the Chief of Police shall offer overtime to officers as follows: Initially the most senior officer will be offered overtime. Thereafter overtime will be tracked by overtime hours worked and overtime hours refused which will be totaled. Additional overtime will be offered to the Officer with the least amount of total overtime hours. Where no volunteers are available for overtime, the Chief of Police shall assign the overtime to the Officer with the least amount. Compensation will be in accordance to the guide lines as established by the City.

(C) Call Out. Due to the size of the Police Department each Officer must realize he can be called back to work outside his regularly scheduled shift or on his scheduled days off. Overtime compensation shall be pursuant to Section 52-3(A).

(D) Rest Period. Officers shall be entitled to a noncumulative rest period not to exceed fifteen (15) minutes during both the first half and the second half of the workday. Such rest periods may be taken except during operational needs. Such rest periods shall not be utilized to extend authorized meal periods.

(E) Meal Period. Officers are entitled to a meal period not to exceed more than thirty (30) consecutive minutes per shift. Such meal periods may be taken except due to operational needs.

(F) Request for Officers. If there is a request for additional security, assistance, traffic direction or the like, and if the Chief of Police, in his discretion, deems that additional personnel is needed, he may assign additional sworn personnel as follows in the order listed:

(1) Auxiliary Officer(s), if qualified for the duty;

(2) Part-Time Officer(s), if Auxiliary Officer(s) is/are not qualified for the duty or if insufficient Auxiliary Officer(s) is/are available; and

(3) Full-Time Officer(s) if Auxiliary Officer(s) is/are not qualified for duty or if insufficient Auxiliary and Part-Time officers are available for duty.

(G) Pay of Additional Officer(s). Any business organization or person which requests an additional Officer(s) shall pay the City for such service according to the following schedule:

(1) Each officer's current pay rate (including overtime pay if applicable);
and

(2) Taxes and fringe benefits paid by the City as a result of the officer or officers performing such duty for the business, organization or person requesting it.

52-4 to 52-5: RESERVED.

ADMINISTRATION

52-6: CODE OF CONDUCT. The Code of Conduct is required to be followed by all members of the Department. The Code of Conduct is established to assure integrity and service to the public in a fair and efficient manner.

Violations of any codes are grounds for disciplinary action, including discharge. The Code of Conduct is not all inclusive and disciplinary action may result from other instances not listed below.

The following acts may result in disciplinary action including discharge:

(A) Conviction of any felony or misdemeanor.

(B) Any conduct or action taken to use the employee's official position for personal gain, favor, or influence.

(C) Failure to obey any lawful order, written or oral, given by a superior officer or mayor.

(D) Insubordination.

(E) Incompetency or inefficiency in the performance of a duty, or inattention to duty.

(F) Disrespect to, or maltreatment of any person, including but not limited to harassment between a supervisor and any subordinate employee of the Police Department.

(G) Misuse or abuse of any City working time for any reason other than performing the employee's assigned duties.

(H) Failure to wear the prescribed uniform, unless given express permission by the Chief of Police.

(I) Making a false report, written or oral, including all applications, timekeeping records, or information regarding employment.

(J) Drinking any alcoholic beverage during working hours or while in uniform. Reporting for work under the influence of alcohol or non-prescribed/illegal drugs.

(K) The use, manufacture, possession, control, sale, administration or dispensing of any compound of narcotic drugs or any narcotic drugs as defined by the Controlled Substance Act. The possession of any prescribed drug, while on duty, shall be in its original container with the proper label attached.

(L) Absenteeism, or tardiness, including leaving your assignment before the end of your assigned shift or extending authorized meal periods and authorized work breaks.

(M) Participating in any political campaigning or activity (not including voting) while on duty or while in uniform, including but not limited to selling tickets, advertisements, chances, or the collecting of any monies, gifts, or other items of value for political purposes. No officer shall use his position to influence any political campaign. Any officer, however, when off duty may support political candidates and/or issues of his choice as long as the officer's position with the City is not used to influence support.

(N) Soliciting or accepting any gratuity, gift, present, reward or other item of value in return for performance, or lack of performance, of an employee's official duties.

(O) Participating in, encouraging the participation of others in, or otherwise supporting any work strike, work slowdown or other concerted action against the Police Department.

(P) Providing unauthorized assistance to any person using services provided by the Police Department.

(Q) The misuse, abuse or conversion of any City property.

(R) Any theft or embezzlement from the City. Any theft from any citizen.

(S) Violation of the Illinois Vehicle Code or the City Ordinances pertaining to the operation of motor vehicles while on duty.

(T) Accepting out-of-department employment which interferes with his duties including overtime requests per Section 52-3(B).

(U) Falsifying or compromising competitive examinations for hiring or advancement by an applicant or employee.

(V) Knowingly permitting another person or employee to use the Police Department's official badge(s), uniform(s), vehicle(s), or other identification.

(W) Not conducting oneself in a courteous and professional manner while on duty.

(X) Failure to establish and maintain a working knowledge of laws, policies and procedures, rules and regulations, general and special orders.

(Y) Failure to comply with this Code or any part thereof.

52-7: DISCIPLINARY ACTION.

(A) The Chief of Police may discipline any officer in his department for violations of the Police Policies, Procedures, Directives, General and Special Orders in accordance with the "Uniform Peace Officers' Disciplinary Act", P.A. 83-981, certified and effective December 9, 1983 as specified in 50 ILCS 725/1, et seq., as amended.

(B) The Chief of Police powers of discipline consists of the following:

- (1) Verbal reprimand
- (2) Written reprimand
- (3) Suspension with pay

(C) Any officer may be suspended without pay if such action is deemed necessary by the Mayor. In suspending an officer without pay the Mayor shall follow the procedures listed for removal of officers under Section 32-19 of this Code.

(D) Any officer may be removed from office if such action is deemed necessary by the Mayor provided the Mayor follows the procedures set forth in Section 32-19.

52-8 TO 52-9: RESERVED.

VEHICLES

52-10: CARE AND USE OF SQUAD CARS.

(A) Police officers may use their assigned squad cars for personal use only within the City limits. Members of the immediate family (wife, children, or anyone residing and dependent upon the officer's income) may be transported in the squad cars. If the privilege is abused, the officer may be immediately reprimanded by the Chief of Police.

(B) The care and use of vehicles (squad cars) shall be pursuant to general orders and/or directives as established by the Chief of Police from time to time.

52-11: CALLS FOR SERVICE. The purpose of this policy is to prevent accidents which could result in property damage, personal injuries, or death to the general public or an officer.

(A) Calls for service shall be acknowledged as provided by law and as established by the Chief of Police in his policies, general and/or special orders, rules and regulations.

52-12: PURSUITS. The purpose of this policy is to prevent accidents, personal injuries, or deaths to the general public or an officer.

(A) Pursuits shall be acknowledged as provided by law. These procedures will be published and amended from time to time by the Chief of Police in his policies, general and/or special orders, rules and regulations.

52-13: ROADBLOCK PROCEDURES. Definition: A roadblock is defined as a deliberate obstruction of traffic by physical means at one or more selected points of a roadway, for the specific purpose of checking persons or vehicles using the roadway.

(A) Roadblock procedures shall be as provided by law. These procedures will be published and amended from time to time by the Chief of Police in his policies, general and/or special orders, rules and regulations.

52-14 to 52-15: RESERVED.

OFFICE OF CHIEF OF POLICE

52-16: POSITION DESCRIPTION. The Chief of Police is under the supervision of and responsible to the Mayor for the management, administration and supervision of the established Police Department. He shall:

(A) Have budgetary input to the City Council; recommend and propose needed staffing, equipment, supplies and operational needs; plan, develop, supervise and enforce policies, procedures, general orders, special and administrative orders, and directives for the purpose of maintaining control of the Police Department.

(B) Be responsible for the enforcement of laws; maintain records and reports; discharge the duties of the Office.

(C) Maintain discipline within the department; conduct investigations into allegations of employee wrongdoings; recommend disciplinary action, which may result in loss of compensation or discharge, to the Mayor; establish work assignments; assign personnel to work assignments.

(D) Grant requested time off for Departmental employees; perform employee evaluations.

(E) Establish the proper uniform of the department.

(F) Other duties as assigned as long as they are pertinent to the enumerated duties listed above.

52-17: AUTHORITY.

(A) The Chief-of Police is given all authority according to law and pertinent policies to operate the City Police Department subject to the supervision and directives of the Mayor.

(B) The Chief of Police has the lawful responsibility to manage, direct, oversee or otherwise maintain the Department subject to the supervision and directives of the Mayor.

(C) The Chief of Police will be held accountable for the operation of the Department.

52-18: RESIDENCY. The Chief of Police shall, as a condition of employment with the City, reside within the City limits of the City of Red Bud, Illinois during the course of their employment. The Chief of Police shall have a period of one (1) year from their date of hire to reside within the City limits of the City of Red Bud, Illinois.

52-19 to 52-20: RESERVED.

JOB DUTIES

52-21: POLICE OFFICERS. A police officer acts as an official representative of government who is required and trusted to work within the law. The officer's powers and duties are conferred by statute. He performs work relating to the safety and protection to the City and its citizens, including the following:

(A) Makes rounds of inspections checking for violations of the laws governing the behavior of people. When necessary, cites such violations and/or violators.

(B) Enforces vehicle laws on assigned shift, cites violators.

(C) May assist other police agencies and the Fire Department upon request. May assist other police agencies outside the jurisdiction upon request and pursuant to the Mutual Aid Agreement.

(D) Testifies in court when so directed.

(E) May inspect windows, doors or other potential points of illegal entry of business establishments during non-business hours and, upon specific request, residences of vacationers.

(F) Conducts investigations and writes reports of same.

(G) Performs other duties as assigned or required as long as they pertain to the job function of a Police Officer.

(H) Conforms to the prevailing rules, regulations, policies, procedures, departmental directives, general orders, special orders and any other orders either written or verbal.

52-22: DETECTIVE. A detective is a police officer. They perform work relating to the safety and protection to the City and its citizens, including the following:

(A) At the direction of the Chief of Police, conducts investigations of a more complex nature and which require a substantial time commitment.

(B) Works a shift schedule determined at the discretion of the Chief of Police and serves as a patrol officer when not assigned to an investigation.

(C) Performs all the duties of a police officer outlined in Section 52-21 as assigned or required as long as they pertain to the job function of a police officer.

(D) Conforms to the prevailing rules, regulations, policies, procedures, departmental directives, general orders, special orders and any other orders either written or verbal.

52-23 TO 52-24: RESERVED.*COMMUNICATIONS***52-25: RADIO PROCEDURES.** The following radio procedures are established:

(A) The two-way radios of the Department shall be used in a courteous and professional manner. There shall be no cursing or swearing on any radio.

(B) The Chief of Police shall issue general orders, and/or directives from time to time regarding the use, care and operational procedures for communications.

52-26 TO 52-27: RESERVED.*CLOTHING*

52-28: UNIFORMS. In recognition of the fact the Police Officers provide a deterrent value and command control and respect when necessary to regulate behavior and acknowledging that uniformed Police Officers provide an identity and add visibility to the protection of the City, it is required that during duty hours Police Officers are to wear the uniform as approved by the Chief of Police.

(A) Each Officer is responsible for the cleanliness of his uniforms. The Police Department will incur the charges for the dry cleaning of trousers, jackets, ties.

(B) Each officer shall wear the uniform as directed by the Chief of Police by his general orders, special orders and/or directives. The official uniform is at the Department's expense.

(C) Uniforms that become damaged during the performance of official duties, or become worn through normal use, shall be replaced at the City's expense.

(D) Uniforms that become damaged in any other manner will be replaced at the officer's expense.

52-29: SIDEARMS.

(A) Officers shall carry only those sidearms as approved by the Chief of Police in his policies, general and/or special orders, rules and regulations.

(B) Each officer shall pay for his own sidearm.

52-30: CARE OF EQUIPMENT. Each officer is responsible for the care of his own equipment, etc., leather, holster, handcuffs, cases/holders. These items are to be purchased by the officer who may choose any personally preferred style that is approved by the Chief of Police.

52-31: OWNERSHIP OF CITY PROPERTY.

(A) All items issued to the Officer by the Department, excepting reimbursed sidearms, are the sole property of the City.

(B) Upon termination of employment, said property reverts back to the City and shall be returned within three (3) calendar days of such.

(C) Failure to comply, could result in the cost of said items being deducted from the Officer's final payroll check or criminal prosecution.

(D) All items issued or assigned to an officer by the Department and any desk, locker, file cabinet, and other such items, containers, cases that are assigned to an officer are the property of the Department. Such items are subject to periodical inspections. Officers who choose to secure such items shall provide the Chief of Police with a duplicate key.

52-32: PERSONAL GROOMING.

(A) Officers shall maintain a clean and neat appearance to the public while in uniform.

(B) Hair and facial hair shall be kept reasonably short and groomed.

52-33 to 52-34: RESERVED.

MISCELLANEOUS

52-35: USE OF TELEPHONE. Telephone lines that are the property of the City shall not be utilized for personal toll calls. Personal calls of any type shall be minimal.

52-36: GEOGRAPHICAL AREAS OF PATROL. The geographical areas of patrol shall be within the City limits. Officers must be aware that his statutory powers of arrest are wholly within the City or on City-owned property.

52-37: OPERATIONAL NEEDS. Due to operational needs, the Chief of Police has the authority to deny time off requests. Likewise, the Chief of Police has the authority to amend any work schedule due to operational needs.

52-38: MEDIA RELATIONS. Releases to the news media shall be through the Office of the Chief of Police.

52-39: WARNING SHOTS. Warning shots are not allowed.

52-40: USE OF DEADLY FORCE. Deadly force shall not be used except in accordance with 720 ILCS 5/7-5, as amended.

52-41: RESIDENCY. All full-time police officers are required to live within the Red Bud City Limits within six (6) months after successfully completing his or her probationary period.

52-42 to 52-43: RESERVED.

ARRESTS

52-44: PROCEDURES. Procedures for arrests will be as provided by law. These procedures will be published and amended from time to time by the Chief of Police in his policies, general and/or special orders, rules and regulations.

52-45 to 52-46: RESERVED.

MUTUAL AID

52-47: MUTUAL AID CONTRACT. The Police Department, with the approval of the City Council, may enter into an agreement to provide police protection to neighboring municipalities under a mutual aid agreement.

52-48 TO 52-49: RESERVED.

INTERPRETATION

52-50: INTERPRETATION. As used herein, the singular shall mean the plural and the form of the pronoun shall be interchangeable, all as the context dictates.

52-51: ACKNOWLEDGEMENT. The Chief of Police may have each officer sign an acknowledgment, as maintained by the Chief of Police, that states each officer understands the policies, orders, and directives of the department.

52-52 TO 52-53: RESERVED.

65 ILCS 5/11-1-1, et seq.